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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,146	07/03/2003	Joel Ovil	WSK-PU-001-US1	6858
60956 7590 04/15/2008 Professional Patent Solutions P.O. BOX 654 HERZELIYA PITUACH, 46105 ISRAEL			EXAMINER SPOONER, LAMONT M	
			ART UNIT	PAPER NUMBER
			2626	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/613,146

**Applicant(s)**

OVIL ET AL.

**Examiner**

LAMONT M. SPOONER

**Art Unit**

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 and 39-53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 39-53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Introduction***

1. The current office action is in response to applicant's amendment filed 12/27/07. Claims 1-27 and 39-53 are currently pending and have been examined.

### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/27/07 has been entered.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-27 and 39-53 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1- 27, 39-41 and 43-47 are rejected 35 U.S.C. 103(a) as being unpatentable over Volcani et al.(Volcani, US 2003/0212655) in view of Kurzweil et al. (US 6,184,949).

As per **claims 1, 14, and 27**, Volcani teaches a method for language enhancement, comprising: receiving text (p.5 para. 0059);

identifying grammatical constructs within the text (p.8.para.0090-inherent to determining noun, verb, replacements or grouping); and

enhancing the received text by determining at least one alternate text portion based on a profile for at least one original portion of the text (Fig. 6-advantages, benefits, qualities, paragraph [0078, 0082]-as his dynamic profile resulting in alternate text, author selected types as a profile), the alternate text portion being consistent with the grammatical constructs of the original portion and having substantially the same meaning as the original portion but conveying a different impression (p.8.para.0090-noun/verb, etc. correspondence, Fig. 11-item 140-his alternate text portions, as grammatically consistent , Fig. 6-his ranking spectrum as the different impression).

Volcani lacks explicitly teaching the profile as a user specific profile, and wherein the user specific profile is based on writing provided by the user. However, Kurzweil teaches the above user specific profile, and wherein ...by the user (C.2 lines 32-37-the user as the author). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Volcani's word frequency and word determination based on a frequency (see [0053]) with Kurzweil's user specific profile, providing the benefit of generating a particular style of writing with a similar user specific style (C.2 lines 45-49).

As per **claims 2 and 15**, Volcani and Kurzweil make obvious the method of claim 1, Volcani further teaches wherein the alternate text portion, when substituted for the original portion generates grammatically correct text (p.8.para.0096, Fig. 11-"Which is why the hate crimes Bill earns careful thought like all laws do..."-as grammatically correct).

As per **claims 3 and 16**, Volcani and Kurzweil make obvious the method of claim 1, Volcani further teaches wherein the alternate text portion includes at least one adjective for a noun from the original portion (Fig. 9, spotless, for "clean as a whistle").

As per **claims 4 and 17**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the alternate text portion includes at least one synonym for an idiom from the original portion (Fig. 9, spotless, for “clean as a whistle”).

As per **claims 5 and 18**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the alternate text portion includes at least one idiom for the original portion (Fig. 5 “clean as a whistle” for “spotless”, p.9.para 0100).

As per **claims 6 and 19**, Volcani and Kurzweil make obvious the method of claim 1, Volcani further teaches wherein the alternate text portion includes at least one adverb for a verb from the original portion (Fig. 8, “Frequently” for “Once in a blue moon”).

As per **claims 7 and 20**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the original portion of text is a single word (Fig. 1, consideration/thought, p.10.para.0116).

As per **claims 8 and 21**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the original portion of text is a clause (Fig. 8, “clean as a whistle”, Fig. 9).

As per **claims 9 and 22**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the original portion of text is an idiom (ibid).

As per **claims 10 and 23**, Volcani and Kurzweil make obvious the method of claim 1. Volcani further teaches wherein the alternate text portion is compliant with a selected predefined profile (Fig. 9 item 137, his reading level as the predefined profile).

As per **claims 11-13, and 24-26**, Volcani and Kurzweil make obvious claim 10, but the combination lack explicitly teaching the selected predefined profile is legal, scientific, and medical. However, the Examiner notes (currently as admitted prior art, see previous rejection) that different profiles of documents were well known in the art at the time of the invention. Therefore it would have been obvious, at the time of the invention, to one ordinarily skilled in the art to modify the combination of Kurzweil with Volcani's style with a dynamic profile catering to the users document, providing the benefit of catering to the users style of word usage.

As per **claim 39**, Volcani teaches a web service comprising (p.5.para.0067): receiving a request including one or more sentences of natural language text (Fig. 2);

deriving at least one suggestion for enhancing the one or more sentences based on a profile (see claim 1 dynamic profile discussion), the at least one suggestion conveying a different impression but retaining substantially the same meaning (see claim 1); and

returning a response including the at least one suggestion (Fig. 2, see claim 1, Fig. 6).

Volcani lacks explicitly teaching the profile as a user specific profile, and wherein the user specific profile is based on writing provided by the user. However, Kurzweil teaches the above user specific profile, and wherein ...by the user (C.2 lines 32-37-the user as the author). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Volcani's word frequency and word determination based on a frequency (see [0053]) with Kurzweil's user specific profile, providing the benefit of generating a particular style of writing with a similar user specific style (C.2 lines 45-49).



As per **claim 40**, Volcani and Kurzweil make obvious the web service of claim 39. Volcani further teaches wherein the at least one suggestion is encoded using a first parameter to designate a word position within a sentence, a second parameter to designated an action, a third parameter to designate a priority, and a fourth parameter to designate at least one word (Fig. 6, encoding inherent to replacing the correct word in the correct location, the action "replace", "merit" as his designated word, ranking level as priority, p.2.para.0013).

As per **claim 41**, Volcani and Kurzweil make obvious the web service of claim 40, and Volcani further teaches possible action of replace, but lacks wherein possible actions include, delete, insert, before and insert after. However the Examiner notes (now as admitted prior art, see previous rejection) that deletion, insert after, insert before were well known in the art at the time of the invention (word processing, document editing). Therefore it would have been obvious, at the time of the invention, to one ordinarily skilled in the art to modify the combination of Kurzweil with Volcani's replace feature to include delete, insert after, insert before, providing the benefit of allowing the user to place/delete a word in a user desired location.

As per **claim 43**, Volcani and Kurzweil make obvious the web service of claim 40. Volcani further teaches wherein the fourth parameter is a reference to at least one word residing within a dictionary of words (see claim 1, Fig. 2 item 234).

As per **claim 44**, Volcani and Kurzweil make obvious the web service of claim 43. Volcani further teaches wherein the dictionary of words resides in a dictionary serve computer (ibid).

As per **claim 45**, Volcani and Kurzweil make obvious the web service of claim 39. Volcani further teaches wherein the at least one suggestion is ranked according to a usage frequency (p.2.para 0013).

As per **claim 46**, Volcani and Kurzweil make obvious the web service of claim 39. Volcani further teaches wherein possible suggestions include replacement of a key word within a sentence with an idiom (Fig. 8, "spotless" and "clean as a whistle", see claim 5).

As per **claim 47**, Volcani and Kurzweil make obvious the web service of claim 46. Volcani further teaches wherein the idiom has a similar meaning as the key word (ibid, synonyms).

6. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Volcani in view of Kurzweil, as applied to claim 40 above, in view of Pickover et al.(US 2003/0130898).

Volcani and Pickover are analogous art in that they involve web services.

As per **claim 42**, Volcani and Kurzweil make obvious the web service of claim 40, the combination lacks teaching wherein possible priorities include must, recommended and optional. However, Pickover teaches having possible priorities including must, recommended and optional (p.5.para.65). Therefore it would have been obvious, at the time of the invention, to one ordinarily skilled in the art to modify Kurzweil with Volcani's action with the priority of an web service action, providing the benefit of a desirability attribute associated with an action.

7. Claim 48-52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Volcani in view of Kurzweil, as applied to claim 46 above, in view of Kinder (US 2003/0212541).

As per **claims 48-52**, Volcani lacks explicitly teaching, modification of text associated with the keyword includes deletion of an adverb preceding the key word, deletion of an adjective preceding the key word, deletion of a

preposition preceding the key word, deletion of a verb preceding the key word. However, Kinder teaches these lacking limitations (Fig. 14-Fig 17, Fig. 23). Therefore it would have been obvious, at the time of the invention, to one ordinarily skilled in the art to modify the combination of Kurzweil with Volcani's enhancement of text with modification of text associated with the key word, providing the benefit of enhancing readability.

8. Claim 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Volcani in view of Kurzweil, as applied to claim 46 above, in view of Anderson (US 5,678,053).

As per **claim 53**, Volcani and Kurzweil make obvious the web service of claim 46, but the combination lacks wherein possible suggestions include insertion of a connecting verb before the idiom. However, Anderson teaches wherein possible suggestions include insertion... (Fig. 5). Therefore it would have been obvious, at the time of the invention, to one ordinarily skilled in the art to modify Kurzweil with Volcani's enhanced sentence with suggesting adding of a connecting verb, providing the benefit of a grammatically correct output.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAMONT M. SPOONER whose telephone number is (571)272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571/272-76033. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

lms  
4/2/08

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